IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4067 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AMRELI TALUKA SALES & PURCHASE UNION LTD. & ANR.

Versus

STATE OF GUJARAT & ORS.

Appearance:

MR BM MANGUKIYA for Petitioners Nos. 1-2
MR SIRAJ GORI, AGP for Respondents Nos. 1-2
RULE NOT RECD BACK for Respondent No. 3

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 11/02/2003

ORAL JUDGEMENT

The petitioners before this Court are the Amreli

Taluka Sales and Purchase Union Limited, a cooperative society duly registered under the Gujarat Cooperative Societies Act, 1961 (hereinafter referred to as 'the Act') and one of its members.

It appears that the State Government had, in exercise of powers conferred under sub section 2 of Section 80 of the Act, nominated certain members on the Board of Directors of the petitioner - Society. Under the Resolution passed on 1st April, 1998, the State Government cancelled the nomination made earlier. Apprehending that the State Government may nominate its representatives on the Board of Directors of the petitioner - Society which may tilt the balance, the petitioner - Society has preferred the present petition.

The learned advocate Mr.Mangukiya agrees that the present petition was filed under apprehension that some representatives may be nominated by the State Government. However, till the date, such nomination has not been made.

In above view of the matter, the cause of action has not arisen. The petition is accordingly disposed of. Rule is discharged.

(Ms. R.M. Doshit, J.)

/sakkaf